

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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GIUSEPPE GRACI,

Plaintiff,

-against-

GIUSEPPE VITALE, individually, and J&D  
PIZZA RESTAURANT INC. D/B/A J&D PIZZA,

Defendants.

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To: Darren P.B. Rumack, Esq.  
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**Case No.: 1:24-cv-8572 (HG)**

**DEFENDANTS' OFFER OF  
JUDGMENT PURSUANT TO  
RULE 68 OF THE FEDERAL  
RULES OF CIVIL PROCEDURE**

Pursuant to Rule 68 of the Federal Rules of Civil Procedure (hereinafter referred to as “Rules” or “Rule”), Defendants Giuseppe Vitale and J&D Pizza Restaurant Inc. d/b/a J&D Pizza hereby offer to allow Judgment to be entered jointly and severally against them in this action in the amount of \$10,000.00, payable within twenty-one (21) days of filing of Plaintiff’s Notice of Acceptance, inclusive of Plaintiffs’ reasonable attorneys’ fees and costs incurred to the date of this offer. This offer is unconditional, and is made to fully and finally resolve all of Plaintiff’s claims for relief.

This Offer of Judgment is made for the purposes specified in Rule 68, and is not to be construed as either an admission that Defendants are liable in this action, or that Plaintiff has suffered any damages. This Offer of Judgment shall not be filed with the Court unless it is accepted.

Dated: Jamaica, New York  
January 27, 2025

Respectfully submitted,

**SAGE LEGAL LLC**

By: /s/ Emanuel Kataev, Esq.  
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*Attorneys for Defendant  
Giuseppe Vitale, Individually, and  
J&D Pizza Restaurant Inc. d/b/a J&D Pizza*

**VIA E-MAIL**

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Giuseppe Graci*